

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

RANDALL KELTON, KARA
BELL,
Plaintiffs,

v.

No. 1:23-cv-00395-DII-SH

Nordstrom, Inc (*D.B.A. Nordstrom
Rack*), Kelsie Fucci, Nathan Hecht,
Sharon Keller, Jose Garza, Rob
Stuart Drummond, Barbara Hervey,
Bert Richardson, Kevin Yeary,
David Newell, Mary Lou Keel, Scott
Walker, Michelle Slaughter, Jesse F.
Mcclure Iii, Megan Lavoie, Thea
Whalen, Deadra Stark, Kelly
Damphouse, Nathan Craddock, Gail
Bell, Travis County Sheriff Deputy
Name Unknown, Sally Hernandez,
Lenn Carter, Robert Eller, Crystal
Gill, Mark Bruner, Kenton Johnson,
Barbara Boulware-Wells, Jeff
Ulmann, Audrey Guthrie, Sam
Bassett, Sara Donovan
Defendants

Magistrate Judge Susan Hightower

**DEFENDANT DEADRA STARK'S RESPONSE TO PLAINTIFF'S MOTION TO
STRIKE RULE 12 MOTION**

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION:

COMES NOW Defendant Deadra Stark ("Defendant"), and files this Response to
Plaintiff's Motion to Strike Rule 12 Motion ("Motion to Strike") (Doc. 56), and would respectfully
show this court the following.

PLAINTIFFS' MOTION IS FRIVOLOUS

1. The Texas Attorney General has filed no motions on behalf of Defendant Deadra Stark, and does not purport to represent Defendant Deadra Stark. The Travis County Attorney similarly does not represent, and has not filed on behalf of, Defendant Deadra Stark. The Motion to Strike does not specify which motions it seeks to strike. Only out of an abundance of caution does Defendant Deadra Stark file this response. But that her name is listed in the Paragraph titled "1 Motion to Strike Rule 12 Motions," there would be no cause whatsoever to believe that any response was required.

2. Without addressing any merits of the filing, Plaintiffs' Motion to Strike is frivolous, at least as to Defendant Deadra Stark, as it seeks to strike motions not filed with this court, and so Defendant Deadra Stark respectfully requests the Court deny the Motion to Strike.

Respectfully submitted,

By: /s/Benjamin J. Gibbs
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**ATTORNEY FOR DEFENDANT
DEADRA STARK**

CERTIFICATE OF SERVICE

A true and correct copy of the above and foregoing document has been served on all counsel of record and pro se parties in accordance with Federal Rules of Civil Procedure on September 29, 2023.

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